

## AFFIDAVIT OF SERVICE

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FILED ON: 10/04/05

FILE NO.: 054649  
CASE NO.: 05 CV 8532

THOMAS GLEASON

Plaintiff(s)-Petitioner(s)

-VS-

BAYOU MANAGEMENT, LLC, SAMUEL ISRAEL, III, DANIEL MARINO, BAYOU GROUP, LLC, BAYOU SECURITIES, LLC, BAYOU ADVISORS, LLC, BAYOU EQUITIES, LLC, BAYOU FUND, LLC, BAYOU SUPERFUND, LLC, BAYOU NO LEVERAGE FUND, LLC, BAYOU AFFILIATES FUND, LLC, BAYOU ACCREDITED FUND, LLC, and JOHN DOES, 1-25 Inclusive

Defendant(s)-Respondent(s)

STATE OF NEW YORK}  
COUNTY OF SCHENECTADY ss.}

I, Mark E. McClosky being duly sworn, deposes and says that deponent is over the age of eighteen years, is not a party in this proceeding and resides in New York State.

On OCTOBER 17, 2005 at 2:50 P.M.  
Deponent served a true copy of **RULE 7.1 STATEMENT, CIVIL COVER SHEET, SUMMONS AND COMPLAINT**  
bearing index number: 05 CV 8532 and date of filing: 10/04/05  
upon **BAYOU FUND LLC**  
at address: **SECRETARY OF STATE, 41 STATE STREET**  
City & State: **ALBANY, NY 12207**MANNER OF SERVICE}PERSONAL

- ☐
- By delivering to and leaving with personally
- 
- known to the deponent to be the same person mentioned and described in the above proceeding as the person to be served.

SUITABLE AGE PERSON

- ☐
- By delivering and leaving with personally
- 
- at the premises which is recipient's actual place of business/usual place of abode. Such person knowing the person to be served and associated with him/her, and after conversing with him/her, deponent believes him/her to be a suitable age and discretion.

AUTHORIZED AGENT

- ☒
- By delivering and leaving with
- DONNA CHRISTIE**
- 
- the agent for service on the person in this proceeding designated under Rule 303 LLC. Service having been made to such person at the place, date and time above.

AFFIXING TO DOOR, ETC.

- ☐
- By affixing a true copy of each to the door of the actual place of business, dwelling place or usual place of abode stated above.
- 
- ☐
- Deponent was unable with due diligence to find the proper or authorized person to be served, or a person of suitable age and discretion at the actual place of business, dwelling place or usual place of abode stated above after having called there on the following dates and times:

MAILING

- ☐
- Deponent completed service by depositing a true copy of each in a postpaid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Postal Service. The package was labeled "Personal & Confidential" and mailed to the person stated above at address
- 
- on . The envelope did not indicate on the outside that the communication was from an attorney or concerned an action against the recipient. The envelope was mailed by
- first class mail
- certified mail
- registered mail
- return receipt requested
- .

Deponent further states upon information and belief that said person so served is not in the Military service of the State of New York or the United States as the term is defined in either State or Federal statutes.

DESCRIPTION} deponent describes the person actually served as:Sex: FEMALE Race/Skin Color: WHITE  
Approximate Age: 46 years Approximate Height: 5'4"  
Other:Hair Color: BLONDE  
Approximate Weight: 135 pounds

Subscribed and sworn before me on} OCTOBER 18, 2005

Karen E. Rock #01R06065213  
Notary Public, State of New York  
Qualified in Schenectady County  
Commission Expires: 10/09/2009Kathryn A. Rock-McClosky  
Commissioner of Deeds  
Qualified in Schenectady County  
Commission Expires: 08/27/2004Attorney Info:  
Conway & Conway  
1700 Broadway, 31st Floor  
New York, NY 10019  
212-938-1080Mark E. McClosky  
Deponent

affidavit number: 200537636

FIRM FILE #